

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C. 20436

In the Matter of)

CERTAIN SEMICONDUCTOR TIMING SIGNAL)
GENERATOR DEVICES, COMPONENTS)
THEREOF, AND PRODUCTS CONTAINING SAME)

Inv. No. 337-TA-465

**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN INITIAL
DETERMINATION GRANTING PARTIAL SUMMARY DETERMINATION AS TO THE
ECONOMIC PRONG OF THE DOMESTIC INDUSTRY REQUIREMENT
WITH RESPECT TO ONE PATENT**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's ("ALJ's") initial determination ("ID") granting partial summary determination as to the economic prong of the domestic industry requirement with respect to U.S. Letters Patent 5,949,261.

FOR FURTHER INFORMATION CONTACT: Clara Kuehn, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3012. Copies of the ALJ's ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at <http://dockets.usitc.gov/eol/public>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

SUPPLEMENTARY INFORMATION: On August 23, 2001, the Commission instituted Inv. No. 337-TA-463 based on a complaint filed by Cypress Semiconductor Corp. (“Cypress”) against respondents Integrated Circuit Systems, Inc. (“ICS”) and Pericom Semiconductor Corp. (“Pericom”) alleging violations of section 337 of the Tariff Act of 1930 in the importation into the United States, the sale for importation, and the sale after importation of certain power saving integrated circuits and products containing same, by reason of infringement of claims 1-4, 6-10, and 12-15 of U.S. Letters Patent 5,949,261 (“the '261 patent”). 66 *Fed. Reg.* 44375 (2001). On December 7, 2001, the Commission instituted the investigation based on a complaint filed by ICS against Cypress as respondent. 66 *Fed. Reg.* 63559 (2001). On January 22, 2002, the ALJ consolidated the two investigations.

On June 17, 2002, Cypress moved for partial summary determination that it satisfies the economic prong of the domestic industry requirement with respect to the '261 patent. On June 27, 2002, ICS filed a response stating that it did not oppose the motion. On July 3, 2002, the Commission investigative attorney filed a response supporting the motion. On July 11, 2002, the ALJ issued the subject ID (Order No. 26) granting the motion. No party petitioned for review of the ID.

The authority for the Commission’s determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), and in section 210.42 of the Commission’s Rules of Practice and Procedure (19 C.F.R. § 210.42).

By order of the Commission.

Marilyn R. Abbott
Secretary

Issued: August 1, 2002